

REMARKS

Claims 1, 2, 4-10 and 13-17 are pending. The recent telephone interview with Primary Examiner Lucchesi is hereby noted with appreciation. As discussed during the interview, claims 1, 10 and 16 have been amended to clarify that the “two or more thread spirals” are located at the conical treads of “the threading having the slight conicity”. Basis for this amendment can be found at least in the figures in the specification. Also, as discussed during the interview, claims 1, 4 and 7 have been amended to recite “tip portion” in place of “front portion” for purposes of clarification and not to limit their scope. Basis for newly presented claim 17 can be found, for example, in original claim 5. The amendments to the claims and newly presented claim do not introduce any new matter.

Claims 1-2, 5-6, 10, 13-14, and 16 stand under 35 U.S.C. § 102(b) as being anticipated by US Patent to 5,269,686 James. James does not anticipate and does not render obvious the present invention as now recited in the claims, as amended.

The present invention provides for improved initial stability of the implant and good gripping upon fitting. The present invention also makes it possible to obtain better secondary stability. The present invention also provides for less risk of wobble and more rapid fitting. These results are achieved by the combination of features of the claimed invention and in particular, the conical threads, the difference in conicity of the treads at the tip portion from those elsewhere and the use of at least two thread spirals for the conical threading having the slight conicity. This latter feature has been clarified in the claims, as now amended.

James does not anticipate the present invention since, among other things, James does not disclose or suggest at least two thread spirals for the conical threading having the slight conicity, as present according to the present invention.

Claims 1-2, 5-10, 13-14, and 16 under 35 U.S.C. § 102(e) as being anticipated by US Patent 5,902,109 to Reams III. Reams III does not anticipate and does not render obvious the present invention as now recited in the claims, as amended. Reams III does not anticipate the present invention since, among other things, Reams III does not disclose or suggest at least two thread spirals for the conical threading having the slight conicity, as present according to the present invention.

Claims 4 and 15 are rejected as being obvious over James or Reams III under 35 USC 103(a). The cited references do not render obvious claims 4 and 15. As appreciated by the cited references do not describe the precise conicity of the threads, the angle of inclination of the threads, the height of the threads, nor the diameter of the implant, as recited in claims 4 and 15. However, it was concluded in the office action that it would be within the level of ordinary skill in the art to vary these parameters to generate an implant appropriate for the intended use. This statement in the office action seems merely to be unsupported speculation. The cited art does not suggest that these parameters are result-effective parameters and should be varied depending upon intended use.

In view of the above, reconsideration and allowance of the application are respectfully solicited.

In the event that the examiner believes that another interview would advance the prosecution of this application, the undersigned attorney is available at the phone number noted below.

Please charge any fees due with this paper to our Deposit Account No. 22-0185, under Order No. 21547-00268-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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